

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ROSCOE DANSBY,

Petitioner,

vs.

JOHN WHETSEL,

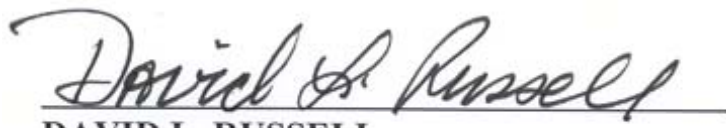
Respondent.

No. CIV-04-1752 -R

ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Doyle W. Argo entered April 19, 2005. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation is ADOPTED in its entirety, the Court abstains from exercising jurisdiction over the petition for habeas corpus under 28 U.S.C. § 2241 and the petition is DISMISSED without prejudice to refiling.

IT IS SO ORDERED this 26th day of May, 2005.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE